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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,281	02/06/2004	Yu Zheng	PAT-1536-CIP	8492
7590 10/15/2009 Raymond Sun Law Offices of Raymond Sun 12420 Woodhall Way Tustin, CA 92782			EXAMINER DONNELLY, JEROME W	
			ART UNIT 3764	PAPER NUMBER
			MAIL DATE 10/15/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/774,281

Applicant(s)

ZHENG, YU

Examiner

JEROME W. DONNELLY

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 1/25/09
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 5-8 and 10-13 is/are pending in the application.
- 4a) Of the above claim(s) 5-8 and 10-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) 5-8 and 10-13 is/are allowed.
- 6) ☒ Claim(s) 5-8 and 10-13 is/are rejected.
- 7) ☐ Claim(s) 5-8 and 10-13 is/are objected to.
- 8) ☐ Claim(s) 5-8 and 10-13 are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on        is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No.       .
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

JEROME DONNELLY  
PRIMARY EXAMINER



## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other:

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The indicated allowability of claims 5-8 and 10-13 are is withdrawn in view of the newly discovered reference(s) to Joo-Tai in view of Hale. Rejections based on the newly cited reference(s) follow.

Joo-Tai discloses a device comprising a coiled wire supporting a covering which is attached to a wire to define a generally cylindrical element, the loop and the covering having first and second ends a sleeve (11) the sleeve, the structure comprising a tie, a lid hinaably attachable by said tie, and an appendage.

Joo-Tai however does not disclose his device including an electronic device attached to the covering.

Hale teaches providing a sleeve member in the form of an electronic figurine for converting a container into an interactive game. The sleeve (Figs. 3-5, elements 18 and 24) including a power supply and a switch.

Note that a portion of the electronic line of Hale Fig. 5 is retained with in the device/sleeve of Hale Fig. 5.

Note that Hale discloses another electronic device as shown in Hale Fig. 7 which may be used in place of the Fig. shown in Hale Fig. 5 as claimed in claim 7.

The examiner further notes that elements 34 of Hale may be considered as appendages attached or attachable to said covering.

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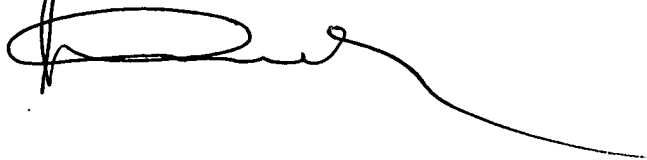
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Any inquiry concerning this communication should be directed to Jerome  
Donnelly at telephone number (571)272-4975.

Em/Jerome Donnelly

September 30, 2009

JEROME DONNELLY  
PRIMARY EXAMINER

A handwritten signature in black ink, starting with a large loop and ending with a long, sweeping horizontal line.